

February 21, 2025

LAURA A. AUSTIN, CLERK

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s/A. Beeson
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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

DONALD WAYNE BARKSDALE,
Plaintiff,

Civil Action No. 7:24-cv-00820

v.

MEMORANDUM OPINION

CHAD DOTSON, et al.,
Defendant(s).

By: Robert S. Ballou
United States District Judge

Plaintiff, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. § 1983 . Plaintiff did not prepay the filing costs or submit the information required to proceed in forma pauperis under 28 U.S.C. § 1915(b) in this court to pay the filing fee through installments from plaintiff's trust account. By order entered December 20, 2024 , the court directed plaintiff to submit within 45 days from the date of the order a prisoner trust account report (or institutional equivalent) for the months of May, June, and July. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

More than 45 days have elapsed, and plaintiff has failed to comply with the described conditions and has not qualified to proceed in forma pauperis under § 1915(b). Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying
Order to plaintiff.

Enter: February 20, 2025

/s/ Robert S. Ballou

Robert S. Ballou
United States District Judge